

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	Chapter 11
FTX TRADING LTD., <i>et al.</i> , <sup>1</sup>	Case No. 22-11068 (JTD)
Debtors.	(Jointly Administered)
<b>Hearing Date: October 7, 2024 at 10:00 a.m. (ET)</b>	

**NOTICE OF DEBTORS' EXHIBIT LIST AND INTENT TO OFFER  
WITNESS TESTIMONY AT THE HEARING ON OCTOBER 7, 2024 REGARDING  
CONFIRMATION OF THE SECOND AMENDED JOINT CHAPTER 11 PLAN OF  
REORGANIZATION OF FTX TRADING LTD. AND ITS DEBTOR AFFILIATES**

**PLEASE TAKE NOTICE** that FTX Trading Ltd. and its affiliated debtors and debtors-in-possession (collectively, the “Debtors”) hereby provide the following information regarding the witnesses that they intend to present, and the list of the potential exhibits that they may seek to introduce, at the hearing scheduled on October 7, 2024 (the “Hearing”) regarding confirmation of the *Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates* [D.I. 26029] (the “Plan”).

**INFORMATION ON WITNESS NUMBER ONE**

1. Name and title of witness: Edgar W. Mosley II, Managing Director at Alvarez & Marsal North America, LLC, financial advisors to the Debtors.
2. Scope of testimony: Mr. Mosley will testify regarding the Debtors’ management and operation of the FTX.US exchange and the FTX.com exchange, substantive consolidation of the Debtors, and related matters in connection with the Plan.
3. Direct testimony of witness: Mr. Mosley’s direct testimony has been presented through the *Declaration of Edgar W. Mosley II in Support of Confirmation of the*

<sup>1</sup> The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

*Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and its Debtor Affiliates* [D.I. 26044]. The Debtors may elicit additional direct or rebuttal testimony from Mr. Mosley at the Hearing.

4. Location and place from which the witness will testify: Mr. Mosley will be available to testify in person.

### **INFORMATION ON WITNESS NUMBER TWO**

1. Name and title of witness: Steven P. Coverick, Managing Director at Alvarez & Marsal North America, LLC, financial advisors to the Debtors.
2. Scope of testimony: Mr. Coverick will testify as to matters relevant to the Plan's compliance with the applicable provisions of the Bankruptcy Code and certain settlements.
3. Direct testimony of witness: Mr. Coverick's direct testimony has been presented through the *Declaration of Steven P. Coverick in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and its Debtor Affiliates* [D.I. 26041]. The Debtors may elicit additional direct or rebuttal testimony from Mr. Coverick at the Hearing.
4. Location and place from which the witness will testify: Mr. Coverick will be available to testify in person.

### **INFORMATION ON WITNESS NUMBER THREE**

1. Name and title of witness: The Rt. Hon. Lord Neuberger of Abbotsbury, arbitrator and legal expert at One Essex Court.
2. Scope of testimony: Lord Neuberger will testify regarding matters of English law relevant to the meaning and effect of the terms of service applicable to the FTX.com exchange.
3. Direct testimony of witness: Lord Neuberger's direct testimony has been presented through the *Declaration of The Rt. Hon. Lord Neuberger of Abbotsbury* [D.I. 26042]. The Debtors may elicit additional direct or rebuttal testimony from Lord Neuberger at the Hearing.
4. Location and place from which the witness will testify: Lord Neuberger will be available to testify in person.

## **INFORMATION ON WITNESS NUMBER FOUR**

1. Name and title of witness: James Daloia, Senior Director at Kroll Restructuring Administration LLC, claims administration agent to the Debtors.
2. Scope of testimony: Mr. Daloia will testify regarding the Debtors' solicitation of votes and tabulation of ballots cast on the Plan.
3. Direct testimony of witness: Mr. Daloia's direct testimony has been presented through the *Declaration of James Daloia of Kroll Restructuring Administration LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and its Debtor Affiliates* [D.I. 26045]. The Debtors may elicit additional direct or rebuttal testimony from Mr. Daloia at the Hearing.
4. Location and place from which the witness will testify: Mr. Daloia will be available to testify in person.

## **EXHIBITS**

In connection with the Hearing, the Movants may seek to use any one or more of the following documents:

<b>Ex. #</b>	<b>Description</b>
1.	<i>Declaration of Edgar W. Mosley II in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and its Debtor Affiliates</i> [D.I. 26044].
2.	FTX.US User Agreement, dated September 16, 2022 [D.I. 26044, Ex. 1].
3.	FTX Terms of Service, dated May 13, 2022 [D.I. 26044, Ex. 2].
4.	FTX Exchange: Terms of Service, 2019 [D.I. 26044, Ex. 3].
5.	FTX Exchange: Terms of Service, 2020 [D.I. 26044, Ex. 4].
6.	<i>Blockchain Deposits and Withdrawals</i> , FTX Crypto Derivatives Exchange, available at <a href="https://web.archive.org/web/20221006082048/https://help.ftx.com/en-us/articles/360034865571-Blockchain-Deposits-and-Withdrawals">https://web.archive.org/web/20221006082048/https://help.ftx.com/en-us/articles/360034865571-Blockchain-Deposits-and-Withdrawals</a> [D.I. 26044, Ex. 5].
7.	<i>Declaration of Steven P. Coverick in Support of Confirmation of the Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and its Debtor Affiliates</i> [D.I. 26041].
8.	<i>Declaration of The Rt. Hon. Lord Neuberger of Abbotsbury</i> [D.I. 26042], and Annexes thereto.

Ex. #	Description
9.	<i>Declaration of James Daloia of Kroll Restructuring Administration LLC Regarding the Solicitation of Votes and Tabulation of Ballots Cast on the Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and its Debtor Affiliates [D.I. 26045].</i>
10.	<i>Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates [D.I. 26029].</i>
11.	<i>Proposed Findings of Fact, Conclusions of Law, and Order Confirming Second Amended Joint Chapter 11 Plan of Reorganization of FTX Trading Ltd. and Its Debtor Affiliates [D.I. 26034-1].</i>
12.	<i>First Amended Plan Supplement [D.I. 25649], and Exhibits thereto.</i>
13.	<i>Plan Supplement [D.I. 22163], and Exhibits thereto.</i>
14.	<i>Declaration of Sabrina T. Howell in Support of the Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 5203], and Annex thereto [D.I. 5203-1].</i>
15.	<i>Order (I)(A) Establishing Deadlines for Filing Customer Proofs of Claim, (B) Approving Procedures for Submitting Proofs of Claim and (C) Approving the Form and Manner of Notice Thereof and (II) Granting Related Relief [D.I. 1793].</i>
16.	<i>Order Granting Motion of Debtors to Estimate Claims Based on Digital Assets [D.I. 7090] and Exhibit [D.I. 7090-1] thereto.</i>
17.	<i>Transfer of Claim Other Than For Security [D.I. 19084] and Exhibit thereto.</i>
18.	Any rebuttal or impeachment exhibits.

### **RESERVATION OF RIGHTS**

The Debtors reserve all rights to: (i) amend and supplement this exhibit and witness list at any time at or prior to the Hearing; (ii) use additional exhibits for purposes of rebuttal or impeachment and to supplement the foregoing exhibit list as appropriate; (iii) rely upon and use as evidence (a) any exhibits included on the exhibit lists of any other party in interest and (b) any pleading, hearing transcript, order, or other document filed with the Court in these Chapter 11 Cases or any adversary proceeding; (iv) cross examine any and all witnesses proffered at the Hearing; and (v) call any rebuttal witnesses as the Debtors may deem necessary at the Hearing.

Dated: October 1, 2024  
Wilmington, Delaware

**LANDIS RATH & COBB LLP**

/s/ Kimberly A. Brown

Adam G. Landis (No. 3407)  
Kimberly A. Brown (No. 5138)  
Matthew R. Pierce (No. 5946)  
919 Market Street, Suite 1800  
Wilmington, Delaware 19801  
Telephone: (302) 467-4400  
Facsimile: (302) 467-4450  
E-mail: landis@lrclaw.com  
brown@lrclaw.com  
pierce@lrclaw.com

-and-

**SULLIVAN & CROMWELL LLP**

Andrew G. Dietderich (admitted *pro hac vice*)  
James L. Bromley (admitted *pro hac vice*)  
Brian D. Glueckstein (admitted *pro hac vice*)  
Alexa J. Kranzley (admitted *pro hac vice*)  
125 Broad Street  
New York, NY 10004  
Telephone: (212) 558-4000  
Facsimile: (212) 558-3588  
E-mail: dietdericha@sullcrom.com  
bromleyj@sullcrom.com  
gluecksteinb@sullcrom.com  
kranzleya@sullcrom.com

*Counsel for the Debtors and Debtors-in-Possession*